

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

GLENDa MCCOY, ET AL.

v.

PFIZER, INC., ET AL.

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Case No. 4:09cv496

(Judge Schneider/Judge Mazzant)

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On August 3, 2010, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendants' Rule 12(c) Motion for Partial Dismissal Due to Lack of Standing and Rule 56 Motion for Partial Summary Judgment Due to Lack of Capacity should be granted in part and denied in part.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is, therefore, **ORDERED** that Defendants' Rule 12(c) Motion for Partial Dismissal Due

to Lack of Standing and Rule 56 Motion for Partial Summary Judgment Due to Lack of Capacity (Dkt. #28) is GRANTED in part and DENIED in part.

IT IS SO ORDERED.

SIGNED this 24th day of August, 2010.


MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE